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| | | |
|---|--|--|
| UTILITY PATENT APPLICATION TRANSMITTAL | | <i>Attorney Docket No.</i> CH920020031US1 (8728-655) |
| | | <i>First Inventor</i> Giovanni Cherubini |
| | | <i>Title</i> READING DATA IN PROBE-BASED... |
| | | <i>Express Mail Label No.</i> EV329488455US |

(Only for new nonprovisional applications under 37 CFR 1.53(b))

| | | | |
|---|--|---|--|
| APPLICATION ELEMENTS | | ADDRESS TO: | |
| <p>See MPEP chapter 600 concerning utility patent application contents.</p> <p>1. <input checked="" type="checkbox"/> Fee Transmittal Form (e.g., PTO/SB/17) (Submit an original and a duplicate for fee processing)</p> <p>2. <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27.</p> <p>3. <input checked="" type="checkbox"/> Specification [Total Pages 22] (preferred arrangement set forth below) <ul style="list-style-type: none"> - Descriptive title of the invention - Cross Reference to Related Applications - Statement Regarding Fed sponsored R & D - Reference to sequence listing, a table, or a computer program listing appendix - Background of the Invention - Brief Summary of the Invention - Brief Description of the Drawings (if filed) - Detailed Description - Claim(s) - Abstract of the Disclosure </p> <p>4. <input checked="" type="checkbox"/> Drawing(s) (35 U.S.C. 113) [Total Sheets 6]</p> <p>5. Oath or Declaration [Total Pages]</p> <p>a. <input type="checkbox"/> Newly executed (original or copy)</p> <p>b. <input type="checkbox"/> Copy from a prior application (37 CFR 1.63 (d)) (for continuation/divisional with Box 18 completed)</p> <p>i. <input type="checkbox"/> DELETION OF INVENTOR(S) Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).</p> <p>6. <input type="checkbox"/> Application Data Sheet. See 37 CFR 1.76</p> | | <p>Assistant Commissioner for Patents Box Patent Application Washington, DC 20231</p> <p>7. <input type="checkbox"/> CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)</p> <p>8. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary) <ul style="list-style-type: none"> a. <input type="checkbox"/> Computer Readable Form (CRF) b. Specification Sequence Listing on: <ul style="list-style-type: none"> i. <input type="checkbox"/> CD-ROM or CD-R (2 copies); or ii. <input type="checkbox"/> paper c. <input type="checkbox"/> Statements verifying identity of above copies </p> | |
| ACCOMPANYING APPLICATION PARTS | | | |
| <p>9. <input type="checkbox"/> Assignment Papers (cover sheet & document(s))</p> <p>10. <input type="checkbox"/> 37 CFR 3.73(b) Statement <input type="checkbox"/> Power of Attorney (when there is an assignee)</p> <p>11. <input type="checkbox"/> English Translation Document (if applicable)</p> <p>12. <input type="checkbox"/> Information Disclosure Statement (IDS)/PTO-1449 <input type="checkbox"/> Copies of IDS Citations</p> <p>13. <input type="checkbox"/> Preliminary Amendment</p> <p>14. <input checked="" type="checkbox"/> Return Receipt Postcard (MPEP 503) (Should be specifically itemized)</p> <p>15. <input type="checkbox"/> Certified Copy of Priority Document(s) (if foreign priority is claimed)</p> <p>16. <input type="checkbox"/> Request and Certification under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.</p> <p>17. <input type="checkbox"/> Other:</p> | | | |

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

Continuation Divisional Continuation-in-part (CIP) of prior application No.: _____ / _____

Prior application information: Examiner _____

Group Art Unit: _____

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

19. CORRESPONDENCE ADDRESS

| | | | | |
|--|---|-----------------------------------|----------------|---|
| <input type="checkbox"/> Customer Number or Bar Code Label | (Insert Customer No. or Attach bar code label here) | | | <input type="checkbox"/> or <input type="checkbox"/> Correspondence address below |
| Name | Frank Chau | | | |
| Address | F. CHAU & ASSOCIATES, LLP 1900 Hempstead Turnpike, Suite 501 | | | |
| City | East Meadow | State | New York | Zip Code 11554 |
| Country | U.S.A. | Telephone | (516) 357-0091 | Fax (516) 357-0092 |
| Name (Print/Type) | Frank Chau | Registration No. (Attorney/Agent) | 34,136 | |
| Signature |  | | | Date 9/8/03 |

19587 U.S. PTO
10/15/03 545

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FEE TRANSMITTAL

for FY 2003

Effective 01/01/2003. Patent fees are subject to annual revision.

 Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 750.00)

Complete if Known

| | |
|----------------------|---------------------------|
| Application Number | |
| Filing Date | September 8, 2003 |
| First Named Inventor | Giovanni Cherubini |
| Examiner Name | |
| Art Unit | |
| Attorney Docket No. | CH920020031US1 (8728-655) |

METHOD OF PAYMENT (check all that apply)

 Check Credit card Money Order Other None
 Deposit Account:

Deposit Account Number 50-0510
 Deposit Account Name IBM-YORKTOWN HEIGHTS

The Commissioner is authorized to: (check all that apply)
 Charge fee(s) indicated below Credit any overpayments
 Charge any additional fee(s) during the pendency of this application
 Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

| Large Entity | Small Entity | Fee Code (\$) | Fee Code (\$) | Fee Description | Fee Paid |
|--------------|--------------|---------------|---------------|------------------------|-------------|
| 1001 750 | 2001 375 | | | Utility filing fee | 750 |
| 1002 330 | 2002 165 | | | Design filing fee | |
| 1003 520 | 2003 260 | | | Plant filing fee | |
| 1004 750 | 2004 375 | | | Reissue filing fee | |
| 1005 160 | 2005 80 | | | Provisional filing fee | |
| SUBTOTAL (1) | | | | | (\$ 750.00) |

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

| | | Fee from | | | |
|--------------------|----|-----------|------|-----|----------|
| Total Claims | 10 | -20** = 0 | X 18 | = 0 | Fee Paid |
| Independent Claims | 2 | -3** = 0 | X 84 | = 0 | |
| Multiple Dependent | | | 280 | | |

| Large Entity | Small Entity | Fee Code (\$) | Fee Code (\$) | Fee Description | Fee Paid |
|--------------|--------------|---------------|---------------|--|----------|
| 1202 18 | 2202 9 | | | Claims in excess of 20 | |
| 1201 84 | 2201 42 | | | Independent claims in excess of 3 | |
| 1203 280 | 2203 140 | | | Multiple dependent claim, if not paid | |
| 1204 84 | 2204 42 | | | ** Reissue independent claims over original patent | |
| 1205 18 | 2205 9 | | | ** Reissue claims in excess of 20 and over original patent | |
| SUBTOTAL (2) | | | | | (\$ 0) |

**or number previously paid, if greater; For Reissues, see above

3. ADDITIONAL FEES

Large Entity Small Entity

| Fee Code (\$) | Fee (\$) | Fee Code (\$) | Fee (\$) | Fee Description | Fee Paid |
|---------------|-------------|---------------|----------|--|----------|
| 1051 130 | 2051 65 | | | Surcharge - late filing fee or oath | |
| 1052 50 | 2052 25 | | | Surcharge - late provisional filing fee or cover sheet | |
| 1053 130 | 1053 130 | | | Non-English specification | |
| 1812 2,520 | 1812 2,520 | | | For filing a request for ex parte reexamination | |
| 1804 920* | 1804 920* | | | Requesting publication of SIR prior to Examiner action | |
| 1805 1,840* | 1805 1,840* | | | Requesting publication of SIR after Examiner action | |
| 1251 110 | 2251 55 | | | Extension for reply within first month | |
| 1252 410 | 2252 205 | | | Extension for reply within second month | |
| 1253 930 | 2253 465 | | | Extension for reply within third month | |
| 1254 1,450 | 2254 725 | | | Extension for reply within fourth month | |
| 1255 1,970 | 2255 985 | | | Extension for reply within fifth month | |
| 1401 320 | 2401 160 | | | Notice of Appeal | |
| 1402 320 | 2402 160 | | | Filing a brief in support of an appeal | |
| 1403 280 | 2403 140 | | | Request for oral hearing | |
| 1451 1,510 | 1451 1,510 | | | Petition to institute a public use proceeding | |
| 1452 110 | 2452 55 | | | Petition to revive - unavoidable | |
| 1453 1,300 | 2453 650 | | | Petition to revive - unintentional | |
| 1501 1,300 | 2501 650 | | | Utility issue fee (or reissue) | |
| 1502 470 | 2502 235 | | | Design issue fee | |
| 1503 630 | 2503 315 | | | Plant issue fee | |
| 1460 130 | 1460 130 | | | Petitions to the Commissioner | |
| 1807 50 | 1807 50 | | | Processing fee under 37 CFR 1.17(q) | |
| 1806 180 | 1806 180 | | | Submission of Information Disclosure Stmt | |
| 8021 40 | 8021 40 | | | Recording each patent assignment per property (times number of properties) | |
| 1809 750 | 2809 375 | | | Filing a submission after final rejection (37 CFR 1.129(a)) | |
| 1810 750 | 2810 375 | | | For each additional invention to be examined (37 CFR 1.129(b)) | |
| 1801 750 | 2801 375 | | | Request for Continued Examination (RCE) | |
| 1802 900 | 1802 900 | | | Request for expedited examination of a design application | |

Other fee (specify) _____

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$)

(Complete if applicable)

| | | | | | |
|-------------------|---|-----------------------------------|--------|-----------|----------------|
| Name (Print/Type) | Frank Chau | Registration No. (Attorney/Agent) | 34,136 | Telephone | (516) 357-0091 |
| Signature |  | | | Date | 9/8/03 |

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

ATTORNEY DOCKET NO. CH920020031US1(8728-655)
Date: September 8, 2003
Express Mail Label: EV329488455US
Date of Deposit: September 8, 2003

Transmitted herewith for filing is the Patent Application of:

Inventors: Giovanni Cherubini
For: READING DATA IN PROBE-BASED STORAGE DEVICES

Enclosed are: [X] 18 sheets of specification; [X] 1 sheet(s) of Abstract; [X] 3 sheet(s) of claims; [X] 6 sheet(s) of drawing(s);

[] An assignment of the invention to: International Business Machines Corporation, Armonk, New York, with Recordation Form.

[] Declaration and Power of Attorney.

[] A certified copy of a _____ application, from which priority under Title 35 USC §119 is claimed.

[] Associate Power of Attorney.

The filing fee has been calculated as shown below:

| | (Col. 1) | (Col. 2) |
|--|-----------------|-----------|
| FOR: | NO. FILED | NO. EXTRA |
| <u>BASIC FEE</u> | | |
| <u>TOTAL CLAIMS</u> | <u>10 -20 =</u> | <u>0</u> |
| <u>INDEP CLAIMS</u> | <u>2 -3 =</u> | <u>1</u> |
| <u>MULTIPLE DEPENDENT CLAIMS PRESENTED</u> | | |

If the difference in Col. 1 is less than zero, enter "0" in Col. 2.

OTHER THAN A
SMALL ENTITY

| RATE | FEES |
|--------------|-----------------|
| | \$ 750.00 |
| X \$18 = | \$.00 |
| X \$84 = | \$.00 |
| + 280 = | |
| TOTAL | \$750.00 |

[] Checks in the amount of \$ _____ and \$ _____ to cover the filing fee(s) and recording fee are enclosed.

[X] Please charge my Deposit Account No. 50-0510/IBM (Yorktown Heights) in the amount of \$750.00.

[X] The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 50-0510/IBM (Yorktown Heights). A duplicate copy of this sheet is enclosed.

[X] Any additional filing fees required under 37 CFR 1.16.

[X] Any patent application processing fees under 35 CFR 1.17.

Respectfully submitted,

By:


Frank Chau
Registration No. 34,136
Attorney for:
IBM Corporation
Intellectual Property Law Dept.
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CERTIFICATION UNDER 37 C.F.R. § 1.10

I hereby certify that this Application transmittal and the documents referred to as enclosed are being deposited with the United States Postal Service on this date September 8, 2003 in an envelope as "Express Mail Post Office to Addressee" Mailing Label Number EV329488455US addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.


Frank Chau